

## **REQUEST FOR QUALIFICATIONS**

Issue Date: December 01, 2011

RFQ#12AML13

Title: Small Purchase Procurement - Professional Services  
Request for Qualifications

Commodity Code: Professional Services

Issuing Agency Commonwealth of Virginia  
Department of Mines, Minerals & Energy  
P. O. Drawer 900  
3405 Mountain Empire Road  
Big Stone Gap, Virginia 24219  
Attn: Abandoned Mine Land Program

Commonwealth of Virginia Forms AE 1 – AE6 are required to be submitted with your proposal. Please follow the instructions below for obtaining these forms. Forms AE 1-AE 6 use the link below.

<http://www.dgs.virginia.gov/FormsCenter/BCOMForms/tabid/823/Default.aspx>

Request for qualifications will be received at anytime during Calendar Year 2012 for consideration leading to small purchase procurement of professional services.

All Inquiries For Information Should Be Directed To: Ann Smith, Contracting Coordinator  
Phone: 276-523-8211, E-Mail: [ann.smith@dmme.virginia.gov](mailto:ann.smith@dmme.virginia.gov)

**IF QUALIFICATIONS ARE MAILED, SEND DIRECTLY TO ISSUING AGENCY SHOWN ABOVE. IF QUALIFICATIONS ARE HAND DELIVERED, DELIVER TO: DEPARTMENT OF MINES, MINERALS, AND ENERGY, 1ST FLOOR - RECEPTIONIST, 3405 MOUNTAIN EMPIRE ROAD, BIG STONE GAP, VIRGINIA 24219**

Name And Address Of Firm:

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Printed Name

\_\_\_\_\_

Signature In Ink

FEIN/SSN NO. \_\_\_\_\_

Title: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

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### Attachments:

1. AVS Checklist (DMLR-AML-103)
2. Statement of Qualification Forms AE-1 through AE-6 available at:  
<http://www.dgs.virginia.gov/FormsCenter/BCOMForms/tabid/823/Default.aspx>

## **PURPOSE**

The Commonwealth of Virginia, Department of Mines, Minerals and Energy, hereinafter collectively “Agency”, is requesting qualifications from those firms, herein “Offerors”, interested in providing engineering services and construction monitoring work primarily for the Abandoned Mine Land, and Bond Forfeiture Programs and possibly similar services for the Orphan Land Program. From this Request for Qualifications (RFQ), the Agency will maintain a file of all interested firms for possible use during the calendar year. While the work projected under the proposed contracts may be located throughout Virginia, the majority of work will be located in the southwest Virginia coalfield region.

## **2.0 BACKGROUND**

Un-reclaimed or inadequately reclaimed mined lands have left numerous life, health, and safety problems. The Abandoned Mine Land (AML) and Bond Forfeiture Programs provide reclamation of coal-mined lands. The Orphan Land Program provides reclamation of coal-mined lands mined for minerals other than coal. Reclamation performed by AML is funded by grants on an annual basis.

## **3.0 SCOPE OF WORK**

### **3.1 MINE PROBLEMS**

*Past mining practices have left numerous problems that threaten the health, safety, or general welfare of the public. Mine related problems include open portals/shafts, voids, unstable land masses, abandoned structures/equipment, clogged stream channels, mine fires, burning refuse, subsidence, land erosion, dangerous highwalls, water quality problems, and abandoned refuse piles.*

### **3.2 SERVICES TO BE PROVIDED**

*A firm selected under the Agency selection criteria shall be expected to provide required engineering and related services in accordance with recognized professional standards and practices. These services shall include, but not necessarily be limited to the following:*

- pre-, during, and post-project studies;
- development of construction bid packages, design specifications and drawings;
- subsurface exploration (including drilling and sampling);
- development of eligibility studies;
- testing and chemical analyses;
- surveying, aerial photography, and mapping; and
- construction inspection / monitoring.

## **4.0 PREPARATION AND SUBMISSION REQUIREMENTS**

Interested firms shall provide the following information to be maintained on Agency file:

1. A signed cover title sheet from this RFQ,
2. Professional and Corporation data outlined in Section 4.1 of this request,
3. Completion of Statement of Qualification Forms AE-1 through AE-6 attached to this RFQ: (Forms may also be downloaded from the DMME Web Site – [www.dmme.virginia.gov](http://www.dmme.virginia.gov) – Under Forms/Guides/Maps for Download click on Mined Land Reclamation),

4. AVS Form (DMLR-AML-003)(Form may be downloaded from the DMME Web Site – [www.dmme.virginia.gov](http://www.dmme.virginia.gov) – Under Forms/Guides/Maps for Download click on Mined Land Reclamation); and
5. Any other documentation that the Offeror believes supports the Agency RFQ.

**NOTE:** The Agency will reissue a RFQ each year to update the information on file. Any offeror may update his/her file information at any time.

#### **4.1 PROFESSIONAL CODE**

The Offerors shall submit complete documentation demonstrating that the Offerors have met the requirements of Title 13, Chapter 7 (Section 542 et. seq.) of the Code of Virginia, pursuant to the registration as a professional corporation or Title 54.1, Chapter 4 of the Code of Virginia, as amended, pursuant to the registration of a firm offering professional services in the Commonwealth of Virginia.

The architect or engineer (i.e. the person) “in responsible charge” for each discipline shall be currently licensed in the Commonwealth of Virginia and shall affix his or her seal to those documents for which he or she is responsible.

*The above-mentioned codes are applicable to the practices of architecture, professional engineering, land surveying and landscape architecture pursuant to the certification and registration processes regulated by the Virginia Dept. of Professional and Occupational Regulation and, if incorporated, the State Corporation Commission.*

Complete documentation of this requirement shall include at a minimum:

1. Professional Corporation Status (Title 13, Chapter 7):
  - a. Copy of issued Certification of Authority from the Virginia Dept. of Professional and Occupational Regulation (DPOR)
  - b. Copy of registration with the State Corporation Commission.
2. Non-Professional Corporation, Partnership, Sole Proprietorship or Other Practice Unit (Title 54.1, Chapter 4):
  - a. Copy of proper certificate from the Dept. of Professional and Occupational Regulation certifying professional services to be provided along with the name and Virginia certification numbers of the individual(s) who are licensed to practice the profession; and
  - b. Copy of registration with State Corporation Commission (Corporation Status Only); or
  - c. Copy of partnership registration certificate in accordance with Section 50-74 of the Code of Virginia, 1950, as amended.

#### **4.2 POLICY ON SMALL BUSINESSES AND BUSINESSES OWNED BY WOMEN AND MINORITIES**

It is the policy of the Agency to contribute to the establishment, preservation, and strengthening of small businesses and businesses owned by women and minorities and to encourage their participation in State procurement activities. The Agency encourages Contractors to provide for

the participation of small businesses and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, or other contractual opportunities. Submission of a report of past and current efforts to utilize the goods and services of such businesses and plans for involvement is recommended.

#### **4.3 APPLICANT VIOLATOR SYSTEM (AVS)**

The Offeror shall provide as a part of his request a list of all principals, officers, and directors who have an ownership or control as defined by Virginia Code 45.1-238(c) and Section 4VAC25-130-700.5 of the Virginia Coal Surface Mining Reclamation Regulations of either the Offeror or of any subcontractor who will be employed by the Offeror to perform work under an awarded contract. The Agency will use the Offeror disclosure to perform AVS searches to ascertain if any Offeror, subcontractor or any person, partnership or corporation in ownership and/or control of the Offeror or subcontractor is classified as blocked from obtaining a coal surface mining permit. In the event an AVS block is determined to exist, the proposal will be ineligible for consideration pursuant to Article 5, Section 2.2-4357 of the Virginia Public Procurement Act. The Offeror shall complete the AVS checklist and return with the data forms.

#### **4.4 CERTIFICATION OF PAYMENT OF RECLAMATION FEES/CIVIL PENALTY ASSESSMENTS:**

The Offeror certifies, by submission of their data forms, that this person/partnership/corporation has no unpaid reclamation fees and/or civil penalty assessments lawfully imposed by the provisions of the Federal Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 et seq. Or if not paid, that this person/partnership/corporation has filed and is presently pursuing in good faith a direct administrative or judicial action or appeal to determine whether or not such a payment is required of this person/partnership/corporation.

#### **5.0 AGENCY SELECTION PROCESS**

The Agency shall utilize qualified offerors to solicit professional services under small purchase procurement procedures (Category B) with a total fee less than \$50,000.

The Agency using Category B procedures will sort RFQ responses, establishing a listing of A/E offerors by qualification or discipline. This listing will be used in selecting A/E's for interviews for procurement of professional services for individual projects.

The Commonwealth of Virginia Construction and Professional Services Manual for Architect / Engineers (A/E Manual) shall apply to any contract awarded in response to this RFQ and the Category B procurement process and is incorporated by reference in its entirety. Chapter 3 of the A/E Manual contains the General Terms and Conditions for professional services contracts.

When the Agency desires to select an A/E under Category B procedures, the Agency shall:

- (a) Identify from the list of firms which have Forms AE-1 through AE-6 on file with the Agency and which appears to be qualified to render the required services, and select not less than three (3) A/E firms for interviews. See Section 6.0 of the RFQ for Agency review criteria.
- (b) Conduct telephone or personal interviews with representatives of the three firms to determine current personnel qualifications, location to the work, expertise, workload, capability to meet the

proposed schedule, past performance of similar projects and ability to provide the services within budgeted costs.

- (c) Consideration to the number and value of existing and previous agency or state contracts awarded will be reviewed. Previously unselected and qualified new firms will be given due consideration under each review process.
- (d) Rank A/E firms and negotiate fee services using competitive negotiations, starting with highest ranked firm.
- (e) Award a contract and post notice of contract award.
- (f) Prepare contract using A/E Manual Form CO-3.2 for all parties' signatures and forward a signed copy to the Division of Engineering and Buildings.

## **6.0 AGENCY SELECTION CRITERIA**

The Agency will evaluate all firms selected from the RFQ listing by the following criteria:

- (a) Expertise, experience and qualifications of the A/E firm and personnel as they relate to the proposed project needs;
- (b) Geographic location of the A/E's office where the work will be performed to the project location;
- (c) Special areas of expertise, experience and/or in-house capabilities as they relate to proposed project needs. (Example: Drilling services, laboratory services, specialized surveying and mapping capabilities);
- (d) In an effort to provide experience and competition between A/E's, the Agency will provide due consideration to previously unselected and qualified firms for selection and negotiations when possible.

### **Attachments:**

- 1. AVS Checklist
- 2. Statement of Qualification Forms AE-1 through AE-6 available at:  
<http://www.dgs.virginia.gov/FormsCenter/BCOMForms/tabid/823/Default.aspx>

## B. Part A: General Information

### C. Part B: Legal Structure

### Part C: Certifying and updating information in the Applicant/Violator System (AVS).

## IMPORTANT!

In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at <https://avss.osmre.gov>.

## Part D.

**Contractor's Business Name:** \_\_\_\_\_

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

### **A. PAPERWORK REDUCTION STATEMENT**

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML finds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to average 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.



## **Statement of Qualification Forms AE-1 through AE-6**

Statement of Qualification Forms AE-1 through AE-6 available at:

<http://www.dgs.virginia.gov/FormsCenter/BCOMForms/tabid/823/Default.aspx>